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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,407	09/15/1999	DAVID H. KOIZUMI	2207/6657	7402

7590

07/02/2002

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EXAMINER

AZARIAN, SEYED H

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 07/02/2002

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/396,407

Applicant(s)

KOIZUMI, DAVID H.

Examiner

Seyed Azarian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.--

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 15 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-22 and 24-30, are rejected under 35 U.S.C. 102(b) as being anticipated by Inokuchi (US patent 3,819,857).

Regarding claim 1, Inokuchi disclose: an apparatus for storage of information, comprising: magnetic ink having a stored information signal, (see Fig. 10, column 6, line 22-30, the outputs of three bits from comparators 104, are temporarily “store” in a first register).

Regarding claim 2, Inokuchi disclose: the magnetic ink of claim 1, wherein the stored information signal, (see column 7, line 32-40, refer to input signal and sine waveform).

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Regarding claim 3, Inokuchi disclose, the magnetic ink of claim 1, wherein the stored information signal includes a digital information signal, (see column 3, line 31-40, refer to digital output).

Regarding claim 4, Inokuchi disclose, the magnetic ink of claim 1, wherein the stored information signal includes a time-varying frequency signal, (see column 6, line 8-17, refer to time delay).

Regarding claim 5, Inokuchi disclose, a magnetic information storage structure, comprising: a surface; and magnetic ink applied to the surface, said magnetic ink magnetized such as to contain an encoded information signal, (see column 3, line 64-67, refer to encoding).

Regarding claim 6, Inokuchi disclose, a magnetic ink encoding stylus, comprising: a penpoint adapted to apply magnetic ink to a surface, (see column 9, line 1-7, refer to surface).

And a magnetic ink write head, coupled to the penpoint and adapted to apply a varying magnetic flux to the magnetic ink as it is applied by the penpoint to the surface, (see column 3, line 46-52, refer to magnetic flux).

Regarding claim 7, Inokuchi disclose, the apparatus of claim 6, wherein the magnetic ink write head includes, a magnetic field generator, and a magnetic shield, (see abstracts refer to magnetic rod and magnetic coil).

Regarding claim 8, Inokuchi disclose, the apparatus of claim 7, wherein the magnetic field generator includes a magnetic coil, (see column 7, line 49-56, refer to sensing coil).

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Regarding claim 18, Inokuchi disclose, the apparatus of claim 17, further comprising a direction sensor coupled to the encoding electronics,(see column 3, line 53-60, refer to magnetic direction).

Regarding claims 9-17, 19-22 and 24-30, the arguments analogous to those presented for claims above are applicable.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 23, is rejected under 35 U.S.C. 103(a) as being unpatentable over Inokuchi (US patent 3,819,857) in view of Cobbley et al (US patent 5,546,538).

Regarding claim 23, Inokuchi disclose the computer system of claim 20, wherein the computer includes: a graphics tablet coupled to the processor; and a handwriting recognition application coupled to the processor, (see claims above).

However Inokuchi. Do not explicitly state, wherein, "handwriting recognition". On the other hand Cobbley et al teaches (column 3, line 26-32, the portable computer device analyzes each line written by the user using handwriting recognition algorithm).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made, to modify Inokuchi invention according to the

teaching of Cobbley et al because ability of computer to translate handwritten text into character data for input to perform more information recognition and communication).

Other prior art cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. patent (5,712,564) to Hayosh is cited for Magnetic ink recorder calibration apparatus and method.

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (703) 306-5907.

The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached at (703) 305-4706.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9314, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

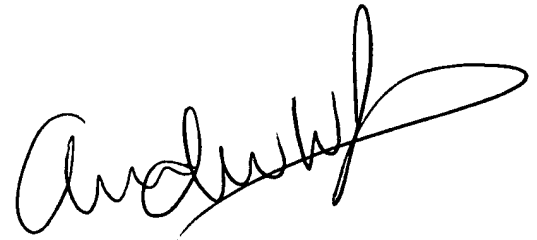
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(703) 746-5724 (for **informal** or **draft** communications, should be clearly labeled to expedite delivery to examiner)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the T.C. customer service office whose telephone number is (703) 306-0377.

Seyed Azarian
Patent Examiner
Group Art Unit 2621
June 23, 2002

A handwritten signature in black ink, appearing to read 'Andrew W. Johns', with a large, sweeping flourish extending from the end of the signature.

ANDREW W. JOHNS
PRIMARY EXAMINER